

10/561211

IAP9 Rec'd PCT/PTO 19 DEC 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No: 40072-0027

Applicant(s) Shinichi KITAHARA et al.

Appl. No.: To be assigned

Filing Date: December 19, 2005

Title: TRICYCLIC TRIAZOLOBENZAZEPINE DERIVATIVE PRODUCED AS NOVEL CRYSTALLINE SUBSTANCE

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

United States Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

10/561211

IAP9 Rec'd PCT/PTO 19 DEC 2005

Attorney Docket No.: 40072-0027

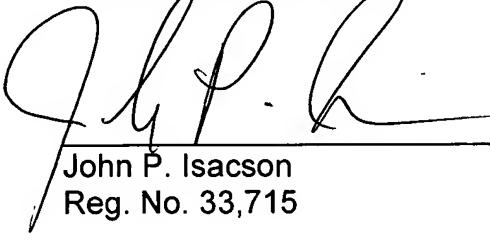
Applicants believe that the instant Information Disclosure Statement is being filed within three months of the filing date under 37 CFR §1.97(b)(1), therefore, no fee is required in connection with its filing.

References A01 and A02 are submitted herewith on the attached CD because of the size of the documents. The first page of the published applications are also attached.

English translations of the foreign-language documents may not be readily available; however, the absence of such translations does not relieve the PTO from its duty to consider the submitted documents (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,


John P. Isaacson
Reg. No. 33,715

December 19, 2005
Date

HELLER EHRLMAN LLP
1717 Rhode Island Avenue, N.W.
Washington, D.C. 20036
Phone: (202) 912-2000
Fax: (202) 912-2020
Customer No. 26633

10/561211

100-302-213
IAP9 Rec'd PCT/PTO 19 DEC 2009

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.